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OFFICE OF PETITIONS

In re Application of :
Lavian et al. :
Application No. 09/522,332 :
Filed: March 9, 2000 :
Attorney Docket No. 10360-052001 :

ON PETITION

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed November 30, 2004, to revive the above-identified application.

The petition is **DISMISSED AS MOOT**.

In response to the final Office action mailed on May 19, 2004, a Notice of Appeal was submitted on August 19, 2004. Although the two-month period for reply expired on October 20, 2004, petitioner has the option of extending the period for an additional five (5) months to March 19, 2005. If by that date a proper response still has not been submitted, the above-identified application will officially be deemed abandoned.

Further, the amendment submitted with the instant petition was reviewed by the Examiner of record and did not prima facie place the application in condition for allowance.

The Revocation of Power of Attorney submitted with the instant petition is hereby not accepted. The document only has the signature of one of the two inventors listed for the above-identified application. Another copy of the document signed by Mr. Robert James Duncan is required before the Revocation of Power of Attorney can be accepted. While a courtesy copy of this decision is being mailed to the person signing the instant petition, all future correspondence will be directed to the address currently of record until such time as appropriate instructions are received to the contrary.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3206.

Liana Chase
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc: HOLMES ANDERSON
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